

S.No.102

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-35500 of 2019 (O&M)

Date of Decision:29.08.2019

Satnam Singh and another

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Ms. Taranjit Kaur Hunda, Advocate
for the petitioners.

Rajbir Sehrawat, J.(Oral)

This is a petition seeking concession of anticipatory bail to the petitioner in case FIR No.0032 dated 01.04.2017 registered under Sections 21/61/85 of the NDPS Act and under Section 482 IPC at Police Station Lohian, District Jalandhar.

It is contended by counsel for the petitioners that earlier vide order dated 23.07.2019, the petitioners were directed by this Court to appear before the trial Court on or before 29.07.2019; with a further direction that in case the petitioners so appear before the trial Court then they will be released on bail by the said Court. It is further submitted that pursuant to the said order, the petitioner s filed application for furnishing the bonds before the trial Court on 29.07.2019. The surety, sought to be furnished by the petitioners was assessed to be worth Rs.75,780/-, however, the trial Court ordered to furnish the bail/security bonds to the tune of Rs.1 lakh; with one surety in the like amount. However, the petitioners were not even granted time to arrange for additional requirement, which was imposed

by the Court below. Instead; vide a separate order of the same date, the trial Court ordered issuance of proclamation against both the petitioners for 31.08.2019. Hence, the petitioners apprehend their arrest. It is further submitted that the petitioners are ready to furnish the bonds/ surety now, as was required by the Court below. However, the petitioners be granted opportunity to do the same by protecting them against their arrest.

Notice of motion.

Mr. K. S. Aulakh, DAG, Punjab, accepts notice on behalf of the State. Learned State Counsel does not have any objection if the petitioner appears before the trial Court and furnish bonds/ sureties as required by the Court below.

In view of the above, this Court finds it appropriate to grant one more opportunity to the petitioners to appear before the trial Court and to furnish the bonds/ sureties; as requisitioned by the trial Court. The petitioners are directed to appear before the trial Court on or before 10.09.2019. It is further directed that in case the petitioners so appear before the trial Court on or before 10.09.2019; then they shall be released on bail on their furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

It is further ordered that till 10.09.2019, the proceedings qua proclamation of the petitioners shall remain stayed.

August 29, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No